(33)

Mad. H. S/—6,000—15-11-30.

Home (193) Department

MS SERIES.

G.O. No. 1515

DATED 28 7-37

[Despatch Abstract.]

JAILS

Establishment - Warders - Subjail - Mangalore - Exemption from scavenging tax - Refused.

1

Hom 1815C

23.3.37

Madras Jail Department

Received.....1937. Registered.....1937.

Subject.

Payment of scavenging tax - Warder establishment of Subjail, Mangalore - Exemption recommended -

---

No. Aud.1131/36.

STATION:-Mount Road, Madras, dated the 18th March 1937.

FROM (N A M E) **T.G.Rutherford Esq., C.I.E., I.C.S.,**

(DESIGNATION). **Inspector-General of Prisons.**

TO THE SECRETARY TO THE GOVERNMENT OF MADRAS,

H o m e Department, Madras

S i r,

I forward, herewith, eight petitions from the warder of the Subjail, Mangalore praying for exemption from the payment of scavenging tax recovered from them at an average of 8 annas per head per mensem by the Public Works Department in accordance with instructions laid down in G.O.No.Ms.239/W, Public Works and Labour, dated the 28th January 1932 and G.O. No.Ms.956-W, Public Works and Labour, dated the 28th April 1932. The tax is recovered on the grounds that the Municipal Scavenging Tax levied on the jail buildings at Mangalore is paid by Government and a moiety of the tax is accordingly recoverable from the occupants of the residential buildings situated within jail premises. A moiety of this tax is also recovered from the staff of the Penitentiary and Civil Jail, Madras and the Junior Certified School, Bellary.

2 The petitioners point out that no such tax is recovered from police head-constables and constables and I find that their statement is correct as the Municipal scavenging tax charged on quarters occupied by the police is borne by Government - vide item No.66(1), Appendix 12, Madras Financial and Account Code, Volume II.

3 I would therefore recommend that the concession shown to Police constables be extended to the warder establishment of the Jail Department. The police catch the criminal and the warders guard him.

Personal Assistant
FOR INSPECTOR GENERAL OF PRISONS.

VCS.22/3.

3

To

The Secretary to

Government of Madras,

Law (General) Department,

Thro'

The Inspector-General of Prisons,

Madras.

&

The Superintendent,

Special Sub Jail, Mangalore.

Humble petition of Ordinary grade warder, Gopalan Nair Special Sub Jail, Mangalore, dated 13th March '36.

Respectfully sheweth,

That all along till last year your petitioner has not had to pay scavenging tax to the Municipality but from last year onwards he has been asked to pay the scavenging tax to the Municipality.

2 That his petition to the Municipality and the Inspector-General of Prisons for exemption from payment thereof having failed, he begs to approach the Government with this humble petition for a kind consideration of - his grievances.

3 That the Municipality does not render any service to the Warders' lines such as removal of any ----- rubbish; filth or carcasses of animals as is usually rendered to rate payers of the Municipality, for which specific service rendered the Municipality is empowered to tax the rate payer. All the service is being done by prison labour, rubbish and filth being collected in certain receptacles provided therefor and all that the Municipality does is, the removal of the contents of --

such receptacles.

4/ That the payment of the tax, works a great hardship on your petitioner, who is getting a very scanty pay.

5/ That the Municipality is doing this scavenging service wholly in the Police lines which are occupied by Police ----- Constables and the petitioner understands that no such tax is recovered from them.

6/ That the petitioner further represents that there are similar other Jails situated within the Municipality limits in the Madras Presidency, but the petitioner understands ~~xx~~ that no such tax is recovered from the Warder --- Establishment attached to those Jails.

'A' 10 ✓

7/ That under these circumstances your petitioner prays that his case which stands distinctly on a better footing than that of Police Constables may be taken into humane consideration by the Government and he may be excused from the payment of the said tax.

Gopalan Nair
"Petitioner,

Forwarded and recommended for favourable consideration by the Inspector General. These poor paid subordinates do deserve encouragement and require exemption from payment of scavenging tax.

Superintendent.

Sub-Jail
Cannanore
14-3-1936.

To

The Secretary to

Government of Madras,

Law (General) Department,

Thro'

The Inspector-General of Prisons,

Madras.

The Superintendent,

Special Sub Jail, Mangalore.

Humble petition of Ordinary grade ward

K. Koran Pambler Special Sub Jail, Mangalore, dated the 13th March 1936.

Respectfully sheweth,

That all along till last year your petitioner has not had to pay scavenging tax to the Municipality but from last year onwards he has been asked to pay the scavenging tax to the Municipality.

That his petition to the Municipality and the Inspector-General of Prisons for exemption from payment thereof having failed he begs to approach Government with this humble petition for a kind consideration of his ---- grievances.

That the Municipality does not render any service to the Warders' Lines such as removal of any rubbish, filth or carcasses of animals as is usually rendered to the rate payers of the Municipality for which specific service rendered the Municipality is empowered to tax the rate payer. All, this being collected in service being done by prison labour, rubbish and filth being collected in certain receptacles provided therfor and

that the Municipality does is, the removal of the contents of such receptacles.

That the payment of the tax works a great hardship on your petitioner, who is getting a very scanty pay.

That the Municipality is doing this scavenging service wholly in the Police lines which are occupied by Police ---- Constables and the petitioner understands that no such tax is recovered from them.

That the petitioner further represents that there are similar other Jails situated within the Municipal limits in the Madras Presidency, but the petitioner understands that no such tax is recovered from the Warder Establishment ----- attached to those Jails.

That under these circumstances, your petitioner prays that his case which stands distinctly on a better footing than that of Police Constables may be taken into humane consideration by the Government and he may be excused from the payment of the said scavenging tax.

K. Moorkam Pai/Kkar.
Petitioner.

Forwarded and recommended for favourable consideration by the Inspector General. Those poor paid Subordinates do deserve encouragement and require exemption from payment of scavenging tax.

Superintendent.

Sub-Jail
Mangalore
14-3-1936.

7

To

The Secretary to

Government of Madras,

Law (General) Department,

Thro'

The Inspector-General of Prisons,

Madras.

&

The Superintendent,

Special Sub Jail, Mangalore.

Humble petition of Ordinary grade warder Sanlthappa — Special Sub Jail. Mangalore, dated 13th March '36.

Respectfully sheweth,

That all along till last year your petitioner has not had to pay scavenging tax to the Municipality but from last year onwards he has been asked to pay the scavenging tax to the Municipality.

That his petition to the Municipality and the Inspector-General of Prisons for exemption from payment thereof having failed, he begs to approach the Government with this humble petition for a kind consideration of - his grievances.

That the Municipality does not render any service to the Warders' lines such as removal of any ----- rubbisn, filth or carcasses of animals as is usually rendered to rate payers of the Municipality, for which specific service rendered the Municipality is empowered to tax the rate payer. All the service is being done by prison labour, rubbish and filth being collected in certain receptacles provided therefor and all that the Municipality does is, the removal of the contents of --

such receptacles.

That the payment of the tax, works a great hardship on your petitioner, who is getting a very scanty pay.

That the Municipality is doing this scavenging service wholly in the Police lines which are occupied by Police ----- Constables and the petitioner understands that no such tax is recovered from them.

That the petitioner further represents that there are similar other Jails situated within the Municipality limits in the Madras Presidency, but the petitioner understands that no such tax is recovered from the Warder --- Establishment attached to those Jails.

That under these circumstances your petitioner prays that his case which stands distinctly on a better footing than that of Police Constables may be taken into humane consideration by the Government and he may be excused from the payment of the said tax.

Santhappa

P e t i t i o n e r,

Forwarded and recommended for favourable consideration by the Inspector General. Those poor paid Subordinates do deserve encouragement and require exemption from payment of scavenging tax.

Superintendent.

Sub-Jail
Mangaloro
14-3-1936.

To

The Secretary to

Government of Madras,

Law (General) Department,

Thro'

The Inspector-General of Prisons,

Madras.

&

The Superintendent,

Special Sub Jail, Mangalore.

Humble petition of Ordinary grade warder P. Gopala Kurup.
Special Sub Jail, Mangalore, dated the 13th March 1936.

Respectfully sheweth,

That all along till last year your petitioner has not had to pay scavenging tax to the Municipality, but from last year onwards he has been asked to pay the scavenging tax to the Municipality.

That his petition to the Municipality and the Inspector-General of Prisons for exemption from payment thereof having failed he begs to approach Government with this humble petition for a kind consideration of his ---- grievances.

That the Municipality does not render any servuc to the Warders' Lines such as removal of any rubbish, filth or carcasses of animals as is usually rendered to the rate payers of the Municipality for which specific service rendered the Municipality is empowered to tax the rate payer. All, this service is being done by prison labour, rubbish and filth being --- collected in certain receptacles provided therfor and all

that the Municipality does is, the removal of the contents of such receptacles.

That the payment of the tax works a great hardship on your petitioner, who is getting a very scanty pay.

That the Municipality is doing this scavenging service wholly in the Police lines which are occupied by Police ---- Constables and the petitioner understands that no such tax is recovered from them.

That the petitioner further represents that there are similar other Jails situated within the Municipal limits in the Madras Presidency, but the petitioner understands that no such tax is recovered from the Warder Establishment ----- attached to those Jails.

That under these circumstances, your petitioner prays that his case which stands distinctly on a better footing than that of Police Constables may be taken into humane consideration by the Government and he may be excused from the payment of the said scavenging tax.

P. Gopala Kurup.
Petitioner.

Forwarded and recommended for favourable consideration by the Inspector General. These poor paid Subordinates do deserve encouragement and require exemption from payment of scavenging tax.

K. Bamber Lobo
Superintendent.

Sub-Jail
Mangalore
14-3-1936.

- 11 -

To

The Secretary to

Government of Madras,

Law (General) Department,

Thro'

The Inspector-General of Prisons,

Madras.

&

The Superintendent,

Special Sub Jail, Mangalore.

Humble petition of Ordinary grade warder

K. Raman Nair Special Sub Jail, Mangalore, dated the 13th March 1936.

Respectfully sheweth,

That all along till last year your petitioner has not had to pay scavenging tax to the Municipality, but from last year onwards he has been asked to pay the scavenging tax to the Municipality.

That his petition to the Municipality and the Inspector-General of Prisons for exemption from payment thereof having failed he begs to approach Government with this humbb petition for a kind consideration of his ---- grievances.

That the Municipality does not render any servuce to the Warders' Lines such as removal of any rubbish, filth or carcasses of animals as is usually rendered to the rate payers of the Municipality for which specific service rendered the Municipality is empowered to tax the rate payer. All, this beingxcollectedxin service is being done by prison labour, rubbish and filth being --- collected in certain receptacles provided therfor and all

that the Municipality does is, the removal of the contents of such receptacles.

That the payment of the tax works a great hardship on your petitioner, who is getting a very scanty pay.

That the Municipality is doing this scavenging service wholly in the Police lines which are occupied by Police ---- Constables and the petitioner understands that no such tax is recovered from them.

That the petitioner further represents that there are similar other Jails situated within the Municipal limits in the Madras Presidency, but the petitioner understands that no such tax is recovered from the Warder Establishment ----- attached to those Jails.

That under these circumstances, your petitioner prays that his case which stands distinctly on a better footing than that of Police Constables may be taken into humane consideration by the Government and he may be excused from the payment of the said scavenging tax.

S. Ramanna

P e t i t i o n e r.

Forwarded and recommended for favourable consideration by the Inspector General. Those poor paid Subordinates do deserve encouragement and require exemption from payment of scavenging tax.

H. Edward Thomas

Superintendent.

Sub-Jail
Mangalore
14-3-1936.

/ 17

To

The Secretary to

Government of Madras,

Law (General) Department,

Thro'

The Inspector-General of Prisons,

Madras.

The Superintendent,

Special Sub Jail, Mangalore.

Humble petition of Ordinary Grade warder, J.C. Anandan Special Sub Jail. Mangalore, dated 13th March '36.

Respectfully sheweth,

That all along till last year your petitioner has not had to pay scavenging tax to the Municipality but from last year onwards he has been asked to pay the scavenging tax to the Municipality.

That his petition to the Municipality and the Inspector-General of Prisons for exemption from payment thereof having failed, he begs to approach the Government with this humble petition for a kind consideration of his grievances.

That the Municipality does not render any service to the Warders' lines such as removal of any ----- rubbish, filth or carcasses of animals as is usually rendered to rate payers of the Municipality, for which specific service rendered the Municipality is empowered to tax the rate payer. All the service is being done by prison labour, rubbish and filth being collected in certain receptacles provided therefor and all that the Municipality does is, the removal of the contents of --

such receptacles.

That the payment of the tax, works a great hardship on your petitioner, who is getting a very scanty pay.

That the Municipality is doing this scavenging service wholly in the Police lines which are occupied by Police ----- Constables and the petitioner understands that no such tax is recovered from them.

That the petitioner further represents that there are similar other Jails situated within the Municipality limits in the Madras Presidency, but the petitioner understands me that no such tax is recovered from the Warder - Establishment attached to those Jails.

That under these circumstances your petitioner prays that his case which stands distinctly on a better footing than that of Police Constables may be taken into humane consideration by the Government and he may be excused from the payment of the said tax.

K. Anandan

P e t i t i o n e r,

Forwarded and recommended for favourable consideration by the Inspector General. Those poor paid Subordinates do deserve encouragement and require exemption from payment of scavenging tax.

K. Ramakrishnan

Superintendent.

Sub-Jail
Mangalore
14-3-1936.

15

To

The Secretary to

Government of Madras,

Law (General) Department,

Thro'

The Inspector-General of Prisons,

.. Madras.

&

The Superintendent,

Special Sub Jail, Mangalore.

Humble petition of Ordinary grade warde Keraga chowla Special Sub Jail, Mangalore, dated the 13th March 1936.

Respectfully sheweth,

That all along till last year your petitioner has not had to pay scavenging tax to the Municipality, but from last year onwards he has been asked to pay the scavenging tax to the Municipality.

That his petition to the Municipality and the Inspector-General of Prisons for exemption from payment thereof having failed he begs to approach Government with this humbb petition for a kind consideration of his ---- grievances.

That the Municipality does not render any servuce to the Warders' Lines such as removal of any rubbish, filth or carcasses of animals as is usually rendered to the rate payers of the Municipality for which specific service rendered the Municipality is empowered to tax the rate payer. All, this being collected in service is being done by prison labour, rubbish and filth being --- collected in certain receptacles provided therfor and all

that the Municipality does is, the removal of the contents of such receptacles.

That the payment of the tax works a great hardship on your petitioner, who is getting a very scanty pay.

That the Municipality is doing this scavenging service wholly in the Police lines which are occupied by Police ---- Constables and the petitioner understands that no such tax is recovered from them.

That the petitioner further represents that there are similar other Jails situated within the Municipal limits in the Madras Presidency, but the petitioner understands that no such tax is recovered from the Warder Establishment ----- attached to those Jails.

That under these circumstances, your petitioner prays that his case which stands distinctly on a better footing than that of Police Constables may be taken into humane consideration by the Government and he may be excused from the payment of the said scavenging tax.

[illegible]

Petitioner.

Forwarded and recommended for favourable consideration by the Inspector General. These poor paid Subordinates do deserve encouragement and require exemption from payment of scavenging tax.

K. Ganapathy Aiyar,
Superintendent.

Sub-Jail
Mangalore
14-3-1936.

17

To

The Secretary to

Government of Madras,

Law (General) Department,

Thro'

The Inspector-General of Prisons,

Madras.

&

The Superintendent,

Special Sub Jail, Mangalore.

Humble petition of T. Keshavan Nair, Selection Grade Warder, Special Sub Jail, Mangalore, dated 13th March '36.

Respectfully sheweth,

That all along till last year your petitioner has not had to pay scavenging tax to the Municipality but from last year onwards he has been asked to pay the scavenging tax to the Municipality.

That his petition to the Municipality and the Inspector-General of Prisons for exemption from payment thereof having failed, he begs to approach the Government with this humble petition for a kind consideration of his grievances.

That the Municipality does not render any service to the Warders' lines such as removal of any ----- rubbish, filth or carcasses of animals as is usually rendered to rate payers of the Municipality, for which specific service rendered the Municipality is empowered to tax the rate payer. All the service is being done by prison labour, rubbish and filth being collected in certain receptacles provided therefor and all that the Municipality does is, the removal of the contents of --

Tooj. 18

such receptacles.

That the payment of the tax, works a great hardship on your petitioner, who is getting a very scanty pay.

That the Municipality is doing this scavenging service wholly in the Police lines which are occupied by Police ----- Constables and the petitioner understands that no such tax is recovered from them.

That the petitioner further represents that there are similar other Jails situated within the Municipality limits in the Madras Presidency, but the petitioner understands that no such tax is recovered from the Warder --- Establishment attached to those Jails.

That under these circumstances your petitioner prays that his case which stands distinctly on a better footing than that of Police Constables may be taken into humane consideration by the Government and he may be excused from the payment of the said tax.

[signature]

Petitioner,

RO J. 411
14/8/36
Forwarded and recommended favourable consideration by the Dis. Mgr. these poor Subordinate do deserve encouragement and request exemption from payment of Scavenging tax.

Dist Supt
Cuddapah
11/8/36

[signature]
11/8/36
Supdt

19

Home Department.

Memo No. 1815-I dated 22-6-37.

Jails - Buildings - Scavenging tax - Payment by the warder establishment - Ref: I.G's letter No. Aud. 1131/36 dated 18.3.37.

The I.G. of Prisons is requested to submit an estimate of the cost that will be involved, if his recommendation that the concession shown to police constables in the matter of scavenging charges should be extended to the warder establishment is accepted by Govt.

He is also requested to furnish particulars of the amounts of scavenging tax or fees (if any) that are paid by the warders of the other jails and to state what services the municipalities concerned render in the cases in which a charge is levied on the warder staff.

The Govt. observe that if the staff of the Junior Certified School, Bellary, is paying scavenging tax, it is not clear why such payment is not being made by the staff of the Central Jail, Bellary.

To the Dy of Prisons.

Van

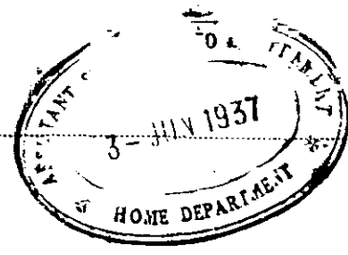
Asst. Secretary to Govt.

4 - JUN 1937

20

C.F. 30.

Jail DEPARTMENT.



Received ..... 19 *Registered* C3263C 3.6.1937

Subject.

Jails - Buildings - Scavenging tax - Payment by warder establishment - Ref:-Government Memorandum No.1815-J-1, Home, dated the 22nd April 1937 -

ENCLOSURES.
No.
Spare copies

No. 1131/A2/36.

Station Mount Road, Madras *Dated the* 31st May 19 37.

From (Name) T.G. Rutherford Esq., C.I.E., I.G.P.,

(Designation) Inspector-General of Prisons.

To The Secretary to the Government of Madras,

Home Department.

Sir,

An estimate of cost that will be involved, if the concession shown to police constables in the matter of scavenging charges is extended to warder establishment is furnished below.-

	Amount per annum.
Penitentiary, Madras - Warders lines at Channels Road (for 25 warders).	Rs.193-5-0 for a female (H) ward as per G.O.No.520, Law (General), dated 6-5-1935.
Penitentiary, Madras - For 3 warders provided with quarters in the Civil Jail compound.	Rs. 9-0-0.
Junior Certified School, Bellary - For 7 petty officers.	Rs. 2 10 0.
Special Sub-Jail, Bangalore - For 5 warders.	Rs. 21 11 0.
Civil Jail, Madras - For 5 warders.	Rs. 15 0 0.
Senior Certified School, Chingleput.	Rs. 25 2 0.
Borstal School, Tanjore - For 32 warders. Petty officers.	Rs. 96 0 0.
	Rs.367 12 0.

2. The following amounts of scavenging tax are at present paid by the warder staff.-

24

	Amount recovered from the warders per annum. Rs.			Services rendered by the municipalit
a. The Penitentiary, Madras - Warders lines at Whannels Road - by 25 warders.	75	0	0.	Cleaning the drains, washing drains, sweeping the compound and removing rubbish from the premises.
The Penitentiary, Madras-by 3 warders housed within Civil Jail compound.	9	0	0.	-do-
b. Civil Jail, Madras - By 5 warders.	15	0	0.	-do-
c. Subjail, Mangalore - 8 Warders —	21	11	0.	Carting night soil to the municipal trenching ground.
Total.	120	11	0.	

The petty officers attached to the Borstal School, Tanjore and Senior Certified School, Chingleput make private arrangements to keep their latrines clean and they incur Rs.96/- and Rs.25-2-0 per annum respectively towards scavenging charges.

Borstal School Tanjore — Rs 96/-
Senior Certified School Chingleput - Rs 25-2-0

3. The Central Jail, Bellary is exempted by the municipal council from the payment of scavenging tax whereas the Junior Certified School, Bellary is rendered services by the municipal scavengers.

7 Petty Officers — charges paid Rs 2/10 (see previous page.)

Personal Assistant
for Inspector-General of Prisons.

vss.2/6.

HOME DEPARTMENT.

Jails - Payment of scavenging tax - Exemption - Petition from certain warders employed in the SubJail, Mangalore.

---.---

C.1815C | From the I.G. of Prisons No.Aud.1131/36 dated 18.3.37.

***

Under the orders in G.O.No.2391 W dated 28.1.32 and G.O.No.956 W dated 28.4.32 the P.W.D. are recovering scavenging tax from Jail subordinates occupying rent-free quarters when the Govt. pay property tax to municipalities in respect of those quarters. Certain warders employed in the Subjail at Mangalore, have requested that they may be exempted from the payment of this tax on the grounds that the municipality does not render any scavenging service to them and that scavenging charges for constables and head constables living in Govt. quarters are borne by the Govt. The I.G. of Prisons has recommended that the concession shown to police constables may be extended to the warder establishment on the ground that the police catch the criminal and warders guard him.

2. Warders in the Jail Dept. are entitled to rent-free quarters. Under rule 95 of the Jail Manual every subordinate officer of a Jail for whom residential quarters are provided should reside therein. When free quarters are not provided, the subordinate should reside in such quarters as may be approved by the Supdt. Under rule 406 of the Jail Manual, the conservancy of warders' lines attached to mufassal Jails is done by convict labour and the scavenging service is done free of cost. Scavenging of their quarters is as much in the interests of the ~~occupants~~ health of the prisoners as in the interests of the occupants of the quarters in jail premises.

3. In 1932 the I.G. of Prisons requested that those jails where the services of the municipality were not utilised might be exempted from paying tax in respect of drainage, water supply sanitation etc. He was however, informed in G.O.No.899 L.G. dated 4.3.32 that taxes were levied on properties proportionately to their annual value and not to the measure of benefit which the owners of individual properties derived. The exemption applied for by the I.G. was not, therefore, granted. He was, however, informed that the municipal council concerned might be moved for exemption from scavenging tax of jails not conserved by the municipal agency.

4. In 1933 the I.G. of Prisons addressed the Govt. with regard to certain concessions regarding conservancy arrangements and free water supply allowance for warders employed in the City of Madras, for whom residential quarters are not provided for in jail premises. In that connection the I.G. of Prisons requested that the rules governing the existing water charges and scavenging charges for the Police Department might be made applicable in respect of warders in the Madras City. This Dept. recommended the acceptance of the I.G's proposal on the ground that the conditions of service of warders in jails are almost the same as those of constables and head constables in the Police Dept. But the Fin. Dept. did not agree with that view. It was held by that department that the fact that the concessions in the matter of conservancy and water supply had been allowed only to the Police Dept. and not to any other department showed that such concessions were not intended to be extended to other departments. It was stated by them that the special concessions shown to Police subordinates in the matter of pay cut was not extended to any other department and that it could not therefore be argued

...at conditions of service of warders were the same as those of the Police subordinates - vide para.2 of their notes on p.13 of G.O.No.3480 L.G. d/5.12.34.

5. It is now for orders whether the question of allowing the concession enjoyed by the Police in regard to free scavenging to warders of the Jail Dept. may now be re-opened. It is as much in the interests of the prison population as that of the warder staff that the jail premises should be kept in a sanitary condition It appears hard to tax the warders for no particular benefit enjoyed by them merely because the jails in which they are employed happen to be situated within municipal limits. In this connection, the following remarks contained in para. 62 of the Report of the Indian Jails Committee are extracted below for favour of ready reference:

"In our opinion, it is essential that the terms offered to the warder establishment should be materially improved. We think that it is beyond dispute that the conditions of service in the Jail Department are more rigorous and less attractive than those in most other departments, and in particular than those of the Police. A warder's life is necessarily to a great extent passed within the jail walls. He is but little less of a prisoner than the inmates whom it is his duty to guard. The constable, however hard his work may be, enjoys all the advantages of freedom and does his duty amid the changing scenes of the bazar or the quiet of the country; but the jail warder, immured for long hours within the jail, has nothing to break the monotony except the short period during which he is off duty. Moreover, unlike the police constable, the warder is under constant supervision. Owing to the limited area within which his duties are performed, he is at all times under the eye of some superior, and this brings with it a greater liability to be detected in irregularities and to be punished therefor, and imposes on him a much severer strain. These facts constitute a great handicap on the jail service which is alone sufficient to place the Jail Department at a disadvantage as compared with the Police. Unless, therefore, the terms offered to the jail warder are superior to those given to the constable, men of even equal quality with the recruits secured for the Police will not come forward."

If it is decided to re-open the question of allowing the concessions to the Jail warders, the I.G. of Prisons

may perhaps be first asked to state what will be financial effect of such a proposal.

A draft memo. to the I.G. is submitted.

Issued as memo to the Inspr. of Prisons. No. 1815 C/-1 dy 22.4.37.

From the I.G. of Prisons. No.1131-A-2of 36 d/31-5-37.

...

The I.G. has forwarded the particulars called for in the memo dated 22-4-37.

If the concession shown to police constables in the matter of scavenging charges is extended to warder establishments there will be a recurring expenditure of Rs.367-12-0 per annum. The amount involved in the proposal to extend the concession to all jails is much larger. It will however be observed that warders in the city pay Rs.3/- each per annum towards scavenging charges while the warders at Mangalore have each to pay about Rs 2-11- to the Municipality. But having regard to the very limited service rendered by the municipality, the charges paid by the warders at Mangalore seem to be high. The warders seem to have moved the municipality for exemption from payment but failed.

It is now for orders whether the concession of exemption from payment of scavenging charges may be allowed to the warders in the sub-jail at Mangalore as a special case, or whether it may be allowed to the warders and petty officers of the jails and schools mentioned in para 20 of the letter.

~~(a roughly Rs.99/- to be recoverable~~. The file may be sent to P.W.D. and Finance for remarks.

CPad

KD 9.6.37
PST 19.6.37

ASSISTANT SECRETARY TO GOVT
13 JUN 1937
STATE DEPARTMENT

Submitted.

The figures at p.20 c.f. represent the amount that Govt. would have to pay if warders and petty officers were exempted from the payment of scavenging charges. The figures at p.20 c.f. represent the amount now paid by them. These have been tabulated in the statement at (V). The charges payable by Govt. for the 25 warders of the Penitentiary who have been provided with huts in Whannel's Road, Egmore represents the cost of employing a female Toti ~~at the same rate~~ on pay not exceeding Rs. paid by the Corporation. But Govt. recover from them charges on this account at a concessional rate of annas 4 per mensem., for each hut, though they (Govt.) incur an expenditure of Rs.198.5.0 (pay of a female Toti for a year). All the warders in the Penitentiary have not been provided

with quarters. The following accommodation only exists:-

Huts for 25 warders in the Warder's lines, Whannel's Road, Egmore.

Huts for 3 warders in the premises of the Civil Jail, Madras.

The rest of the warder staff who are not provided with quarters are paid house rent allowance and live in private residences. Apparently they make their own arrangement for scavenging etc. There is no information as to how much they pay in this regard.

The Govt are now paying a sum of Rs 123-5-0 a year on account of the pay of the toti employed in the warders' lines at Whannel's Road. The net extra cost to Govt by the acceptance of this proposal will be Rs 244-7-0 a year.

Rs 198-5-0 Pay of toti
- 75-0 (recoveries from warders)
Rs 123-5-0

Rs 367-12-0
123-5-0
244-7-0

GOVT OF MADRAS
20 JUN 1937
SECRETARIAT TO GOVERNMENT
PUBLIC (POLICE) DEPT.

The case relates to petitions from certain warders employed in the Sub-Jail, Mangalore for - exemption from payment of scavenging tax on the follo ing grounds:-

(1) The Municipality does not do any scavenging service to them; and

(2) The scavenging charges for constables and head constables living in Govt. quarters are borne by Govt.

The Home Dept. point out that most of the warder staff in the Presidency escape scavenging charges; that it would not cost Govt. much to put them all on the same footing in this respect and that it is particularly hard on the Mangalore warders that they should have to pay a charge which is not demanded from warders of any other mufassal jails.

2. Under the existing rules the scavenging tax, where it is levied by a municipality, has to be recovered from the occupants of Govt. quarters in addition to the rent. An exception has been made in the case of police lines, the scavenging charges in respect of these lines are borne by Govt. The question of granting a similar concession to the warder staff was raised in 1933 in respect of the warder staff in the Penitentiary and Civil Jail, Madras. Sir K.V. Reddi as H.M.C-3(Law) then observed as follows:-

> "The onerous nature of the duties of these warders is of the same kind as that of the Police. xx xx"

H.M. Finance(Sir H.G. Stokes) then observed:-

> "I don't think the Police case is relevant. xx xx".

It was finally decided that Govt. should engage a scavenger and each warder should pay 4 annas a month.

It does not appear that the question of treating warders and Police Constables alike need be

re-opened now.

3. If this is conceded the only question is whether any special concession should be shown in the case of warders in the Sub-Jail, Mangalore. The men were exempt from payment of scavenging tax so long as the municipality was not levying scavenging tax on the jail buildings. The I.G's report shows that scavenging tax is now recovered from them at an average of 8 annas per head per mensem by the P.W.D. in accordance with G.O. 239 W. dated 28-1-32 (D) and G.O. 956-W. dated 28-4-32. From the statement (E) on p.20 C.F. it will be observed that 8 warders employed in the sub-jail have to pay Rs 21-11-0 or less than 4 annas a month. Evidently 8 annas a month referred to in the I.G's letter on p.1 C.F. is a mistake. If so, it does not appear that they are worse off than the warders employed in the Penitentiary & Circle jail Madras.

p 1 CF

4. The extra cost of [redacted] meeting the scavenging charges in full in respect of all the jails is reported to be Rs 244-7-0 a year. This will be increased if other municipalities follow the practice of Mangalore Municipal Council and levy scavenging charges in respect of jail buildings within their jurisdiction. Once the principle of exemption from scavenging tax is accepted in the case of warder staff the ultimate extra cost to Govt. is likely to be large.

(2) Nominal basis

In the above circumstances, it is for orders whether Finance may advise against the proposal.

5.7.37

Thro' Accts. & C&R

10.7.37 DWD 12.7.37 Addl DS 5.7.37 DS 5.7.37

13/7/37

Home 15 JUL 1937

13-7-37

066822 15/7 UNDER SECRETARY TO GOVT. 13 JUL 1937 HOME DEPARTMENT

10-7-37

10/7/37

9

Home Dept

Please see finance rules at pp 7–8 ante. They advise against the proposal to exempt warders of jails & the special subjail from payment of scavenging tax. For orders whether this will be accepted

VCS 16.7.37.

The proposal may be dropped

VCS 25.7.37

Draft submitted

C.F. 16.

Home Dept

DRAFT FOR APPROVAL.

Date. Initials.

When received for fair copying ..		
When copied ..		
When examined..		✓
When signed ..		
When despatched.		

SUBJECT:— Jails. Establishment- Wardens- Subjail- Mangalore- Exemption from Scavenging tax - Regd.

READ AGAIN , dated 19

" " " 19

READ *ALSO*:—

pp 1-2 cf No. 1815C From the Dy of Frmis. Mad, No. 1131/37, dated 16-3-1937.

p 19 cf " Memo Dy, the dy of Frmis No. 1815C-1837 22-4- 1937.

pp 20-21 cf " 3263C From the Dy of Frmis " 1131/37 " 31-5- 1937.

Order ~~Resolution~~ Ms. ~~Rout~~ No. 2915, dated 28-7-37 19

The Govt decline to Comply with the request of the warden of the Subjail, Mangalore, that they may be exempted from the payment of Scavenging tax.

VCS
25-7-37

PT
25-7-37

HM

27/7

J. H

To the Dy of Frmis. ✓

Desp 28/7/37.

(V)

	Estimate of Cost that will be involved if the Concession shown to Police Constables in the matter of scavenging Charges is extended to warder establishment.	Particulars of amounts actually recovered from wardens or paid by them
	Inquiries taken from P20 CA	Inquiries taken from p21 CA
Penitentiary Madras.	Rs 198-5-0. (pay of a female 20/- per a year.	Rs 25-
25 huts in Whannels Road.	cost actually incurred by the Jail deptt — see para 9 Govt. Order 5204 dt 6-3-35.	prob (H)
Penitentiary, madras = Central Jail - 3 warders	Rs 9-0-0.	Rs 9.
premier with huts within Central Jail premises.	[illegible] Central Jail.	
Central Jail - Madras - 5 warders.	15-0-0	Rs 15-
Junior Certified School Building. 7 Petty Officers	2-10-0.	Rs 2.10.0.
Special Sub Jail - Mangalore - 8 Warders.	21-11-0.	Rs 21-11-0.
Senior Certified School Cuddapah	25-2-0.	Rs 25-2-0
Borstal School Vellore. 36 Petty Officers	96-0-0.	Rs 96-0-0.
	367-12-0	244-7-0

198-5-0
25-0-0
123-5-0